

17-18a-402 Pretrial responsibilities.

- (1)
 - (a) A public prosecutor shall:
 - (i) institute proceedings before the proper court:
 - (A) for the arrest of a person charged with a public offense; or
 - (B) if the prosecutor has probable cause to believe that a public offense has been committed and a grand jury has been convened by a court;
 - (ii) draw all indictments and information for offenses against:
 - (A) the laws of the state occurring within the county; and
 - (B) the criminal ordinances of the county;
 - (iii) cause all persons under indictment or informed against to be speedily arraigned for crimes charged; and
 - (iv) issue subpoenas for all witnesses for the state or for the county in the prosecution of a criminal ordinance.
 - (b) A public prosecutor described in Subsection (1)(a)(i)(B) shall:
 - (i) assist and attend the deliberations of the grand jury; and
 - (ii) prepare all necessary indictments and arrange for the subpoena of witnesses to appear before the grand jury.
- (2) The public prosecutor may:
 - (a) examine as to the sufficiency of an appearance bond that may be tendered to the court; and
 - (b) upon a court order:
 - (i) institute proceedings for the recovery upon forfeiture of a bond running to the state or county; and
 - (ii) enforce the collection of a bond described in Subsection (2)(b)(i).
- (3) The public prosecutor is authorized to grant transactional immunity to a witness for violation of a state statute or county criminal ordinance.

Enacted by Chapter 237, 2013 General Session